

**FILED**

**DEC - 7 2010**

**RICHARD W. WIEKING**  
CLERK, U.S. DISTRICT COURT,  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	No. CR-10-71010-MAG (DMR)
Plaintiff,	)	
v.	)	DETENTION ORDER
JULIO JOSE DE LIMA,	)	
Defendant.	)	

I. DETENTION ORDER

Defendant Julio Jose De Lima is charged in a multi-defendant Indictment filed in the Southern District of Florida (Case Number 10-20807) with several counts of Bringing In and Harboring Certain Aliens, in violation of 8 U.S.C. § 1324. Defendant appeared before this Court pursuant to Federal Rule of Criminal Procedure 5. The United States moved for Mr. De Lima's detention and asked for a detention hearing as permitted by 18 U.S.C. § 3142(f)(1). Pretrial Services prepared a criminal history report, which the Court reviewed. It appears that Defendant currently is subject to an immigration hold. On December 7, 2010, Defendant submitted to detention, but reserved the right to present additional information at a later date should

DETENTION ORDER

CR 10-71010-MAG-1(DMR)

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cc: Copy to parties via ECF, Pret. Svcs., 2 Certified copies to U.S. Marshal

1 Defendant's circumstances change.

2 After considering the limited information currently available to the Court, and the factors  
3 set forth in 18 U.S.C. § 3142(g), the Court detains Mr. De Lima and finds that no condition or  
4 combination of conditions will reasonably mitigate the serious risk of flight. *See* 18 U.S.C. §§  
5 3142(e) and (f); *United States v. Motamedi*, 767 F.2d 1403, 1406 (9th Cir. 1985).


6 II. CONCLUSION

7 The Court detains Mr. De Lima as a serious flight risk. Because Defendant waived his  
8 right to present information under 18 U.S.C. § 3142(f) without prejudice to raising relevant  
9 information at a later hearing, the Court orders that the hearing may be reopened at his request at  
10 a future time.

11 Mr. De Lima shall remain committed to the custody of the Attorney General.

12 IT IS SO ORDERED.

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15 DATED: December 7, 2010

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DONNA M. RYU  
United States Magistrate Judge